

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 34456

STATE OF IDAHO,	)	2008 Unpublished Opinion No. 406
	)	
Plaintiff-Respondent,	)	Filed: March 21, 2008
	)	
v.	)	Stephen W. Kenyon, Clerk
	)	
DAVID E. ISHAM,	)	THIS IS AN UNPUBLISHED
	)	OPINION AND SHALL NOT
Defendant-Appellant.	)	BE CITED AS AUTHORITY
	)	

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Appeal from the District Court of the Third Judicial District, State of Idaho, Canyon County. Hon. Thomas J. Ryan, District Judge.

Order denying I.C.R. 35 motion for reduction of sentence, affirmed.

Molly J. Huskey, State Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

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PER CURIAM

David E. Isham pled guilty to sexual abuse of a child under the age of sixteen years. I.C. § 18-1506(b). The district court sentenced Isham to a unified term of fifteen years, with a minimum period of confinement of seven years. Isham filed an I.C.R. 35 motion, which the district court denied. Isham appeals.

A motion for reduction of sentence under I.C.R. 35 is essentially a plea for leniency, addressed to the sound discretion of the court. *State v. Knighton*, 143 Idaho 318, 319, 144 P.3d 23, 24 (2006); *State v. Allbee*, 115 Idaho 845, 846, 771 P.2d 66, 67 (Ct. App. 1989). In presenting a Rule 35 motion, the defendant must show that the sentence is excessive in light of new or additional information subsequently provided to the district court in support of the motion. *State v. Huffman*, 144 Idaho 201, 203, 159 P.3d 838, 840 (2007). Upon review of the record, including the new information submitted with Isham's Rule 35 motion, we conclude no abuse of discretion has been shown. Therefore, the district court's order denying Isham's Rule 35 motion is affirmed.